

DEC 15 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273 - 8300 on December 15, 2005.

Total pages in this transmission: 46

Gudrun E. Hockett  
Gudrun E. Hockett, Patent Agent

Applicant: Rudolf Wagner

Serial No: 10/708,678

U.S. Filed: 3/18/2004

For: Cutting Device for Workpieces Such as Rods, Bolts and the Like, Especially for Threaded Rods

Examiner: Charles Goodman

Art Unit: 3724

Commissioner for Patents

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR § 1.56, Applicant wishes to call the attention of the Examiner to the reference(s) cited on the attached form PTO-1449. Copies of the listed documents (except U.S. patents and published U.S. patent applications) are attached.

These references have been cited in the European Search Report in the counterpart European patent application. A copy of the search report including a translation of pertinent parts is attached showing the relevance of the references as seen by the European Patent Office.

In regard to reference 3), applicant would like to submit that this device neither shows separate cutting inserts that are detachably fastened to the second arms nor brackets positioned

- 1 -

12/15/05: IDS for 10/708,678 filed 3/18/2004 - Inventor(s): R. Wagner

between the actuators that are connectable to a drive device nor does it show slanted surfaces that are engaged by pressure rolls of a drive device.

In regard to reference 4), applicant would like to submit that the device is a motorized device having a stationary cutter head 6 and a movable cutter head 7. Motor M moves the carrier 3 of the cutter head 7 toward the cutter head 6 (see Fig. 3). The device has spacers 20 (Figs. 4 and 5) for adjusting the width of the cutter heads 6, 7. The device does not show two-arm pivot levers with actuator arm for pivoting the second arm about a pivot located between the actuator and the second arm, respectively.

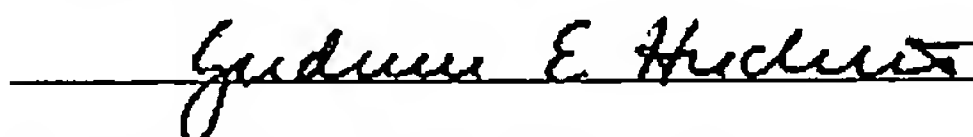
In regard to reference 5) applicant would like to submit that the reference shows a motor driven device similar to that of reference 4). The device does not show two-arm pivot levers with actuator arm for pivoting the second arm about a pivot located between the actuator and the second arm, respectively.

In regard to reference 7), it is respectfully submitted that the device does not show facing slanted surfaces on the actuators (part of the lever between the pivots 3 and 7; see Fig. 1) that are acted upon by a drive unit for moving the second arms and the shearing edges.

It is respectfully requested that the required fee pursuant to 37 CFR 1.17(p) be charged to USPTO Deposit Account 501199.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted December 15, 2005,



Ms. Gudrun E. Huckett, Ph.D.  
Patent Agent, Registration No. 35,747  
Lönsstr. 53  
42289 Wuppertal  
GERMANY  
Telephone: 49-202-257-0371  
Facsimile: 49-202-257-0372  
gudrun.draudt@t-online.de

GEH

Enclosures:

- ☒ PTO 1449
- ☒ reference(s)
- ☒ search report (incl. translation)
- ☒ fee

- 2 -

12/15/05: IDS for 10/708,678 filed 3/18/2004 - Inventor(s): R. Wagner

PTO 1449		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/708,678
		Filing Date	3/18/2004
		First Named Inventor	Rudolf Wagner
		Group Art Unit	3724
Date submitted: 12/15/05		Examiner Name	Charles Goodman
Sheet of		Attorney Docket No.	P7355.2US

U. S. PATENTS OR PUBLISHED PATENT APPLICATIONS							
Examiner Initials	Cite No.	Patent or Publication Number	Issue or Publication Date	Patentee or Inventor	Class	Subclass	Filing Date
	1	4,249,308	2/10/1981	Boyajian	30	231	8/20/1979
	2	3,181,181	5/4/1965	J. Z. Buckley et al.	7	5.6	8/17/1962

FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document No.	Publication Date	Country or Patent Office	Class	Subclass	Translation
							Yes No
	3	1 705 779	8/25/1955	Germany			X
	4	195 15 955	11/23/1995	Germany			X
	5	63 127 810	5/31/1988	Japan			X
	6	444 927	3/31/1936	Great Britain			X
	7	2 529 813	1/13/1984	France			X

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Name of Author (In CAPITAL LETTERS), Title of Article, Title of Item (Book, Journal, etc.), Date, Page(s), Volume or Issue No., Publisher, City and/or Country Where Published

Examiner Signature		Date Considered	
--------------------	--	-----------------	--